IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kano et al.

Confirmation No.: 7451 1633

Serial No.:

09/823,699

Art Unit:

Filed:

March 30, 2001

Examiner:

Q. Janice Li

Title:

Customer No.: 21559

AIDS VIRUS VACCINES USING SENDAI VIRUS VECTOR

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES UNDER 37 C.F.R. § 41.31

Applicants respectfully appeal to the Board of Patent Appeals and Interferences from the decision dated January 5, 2009, in which the Office finally rejected claims 2, 4, 5, 7, 9, 11-20, 24, 26, 28-33, 37, 42-45, 62-68, 70, and 73-80 of the above-captioned patent application.

Pursuant to 37 C.F.R. § 1.136, transmitted herewith is a Petition to extend the period for replying to the final rejection for three months, to and including July 6, 2009, as July 5, 2009 falls on a Sunday.

Please charge Deposit Account No. 03-2095 in the amount of \$540.00 for the fee required by 37 C.F.R. § 41.20(b)(1) for this Notice of Appeal.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095,

Respectfully submitted,

Date: 6 July 2009

James D. DeCamp, Ph.D. Reg. No. 43,580

JAN N. TITTER, PL.D. Peg. No. 52,290

Clark & Elbing LLP 101 Federal Street Boston, MA 02110

Telephone: 617-428-0200 Facsimile: 617-428-7045